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**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**UNITED STATES OF AMERICA and
KAREN STERLING, Revenue Officer,**

Petitioner,

v.

ANNALISA J. SILVA and DANIEL SILVA,

Respondents.

Case No. 08-0682-CRB

**NOTICE OF DISMISSAL PURSUANT
TO RULE 41(a)(2) AND [proposed]
ORDER**

Petitioners, United States of America and Karen Sterling, IRS Revenue Officer, hereby advise the Court that respondents, Annalisa J. Silva and Daniel Silva have complied with the Internal Revenue Service summonses and request that this action be dismissed pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

JOSEPH P. RUSSONIELLO
United States Attorney

Dated: May 28, 2008

/s/ Cynthia Stier
CYNTHIA STIER
Assistant United States Attorney
Tax Division

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ORDER

Upon the request of the petitioners and pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, this action is hereby dismissed.

ORDERED this _____ day of _____, 2008, at San Francisco, California.

THE HONORABLE CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I, **KATHY TAT** declare:

That I am a citizen of the United States of America and employed in San Francisco County, California; that my business address is Office of United States Attorney, 450 Golden Gate Avenue, Box 36055, San Francisco, California 94102; that I am over the age of eighteen years, and am not a party to the above-entitled action.

I am employed by the United States Attorney for the Northern District of California and discretion to be competent to serve papers. The undersigned further certifies that I caused a copy

NOTICE OF DISMISSAL PURSUANT TO RULE 41(a)(2) AND [proposed] ORDER

to be served this date upon the party(ies) in this action by placing a true copy thereof in a sealed envelope, and served as follows:

 X **FIRST CLASS MAIL** by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.

 PERSONAL SERVICE (BY MESSENGER/HAND DELIVERED)

 FACSIMILE (FAX) No.: _____

to the parties addressed as follows:

***ANNALISA SILVA
6840 IONE WAY
DUBLIN, CA 94568***

***DANIEL SILVA
6840 IONE WAY
DUBLIN, CA 94568***

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on **May 29, 2008** at San Francisco, California.

**/s/Kathy Tat
KATHY TAT
Legal Assistant**